

**Comment Register**  
**Proposed Phosphorus Management Tool Regulation**  
**October 10-18, 2013**

No.	Source	Date Received	Form	Date Acknowledged	Form of Acknowledgment
1	Donald Hales	10/10/13	Letter	10/11/13	Mail
2	Worcester County Commissioners	10/10/13	Letter	10/11/13	Email
3	Rock Crum, MidAtlantic Farm Crec	10/16/13	Email	10/17/13	Email
4	Lloyd C. Jones	10/15/13	Form Letter	10/18/13	Mail
5	Billy J. & Janice R. Tomlinson	10/15/13	Form Letter	10/18/13	Mail
6	Cora M. Widdowson	10/15/13	Form Letter	10/18/13	Mail
7	Dennis D. Adkins	10/15/13	Form Letter	10/18/13	Mail
8	Joe Bernstein	10/15/13	Form Letter	10/18/13	Mail
9	Philip D. Williams	10/15/13	Form Letter	10/18/13	Mail
10	Robert J. Hearn	10/15/13	Form Letter	10/18/13	Mail
11	Richard M. Reddish	10/15/13	Form Letter	10/18/13	Mail
12	Daniel Rayne	10/15/13	Form Letter	10/18/13	Mail
13	Pete Richardson	10/15/13	Form Letter	10/18/13	Mail
14	Werner L. Gruber	10/15/13	Form Letter	10/18/13	Mail
15	H. Wayne Sprague	10/18/13	Form Letter	10/21/13	Mail
16	Bryan Toadvine	10/18/13	Form Letter	10/21/13	Mail
17	Tracy Joachimowski	10/18/13	Form Letter	10/21/13	Mail
18	Wynn Bowman	10/18/13	Form Letter	10/21/13	Mail
19	Hyung Lyul Choi	10/18/13	Form Letter	10/21/13	Mail
20	David N. Forbes	10/18/13	Form Letter	10/21/13	Mail

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PHOSPHORUS MANAGEMENT TOOL REGULATIONS BRIEFING OCTOBER 8, 2013

The honorable Earl Hance

SECRETARY, MARYLAND DEPARTMENT OF AGRICULTURE

50 Harry S. Truman Parkway

Annapolis, MD 21401

DEAR MR. HANCE,

I have worked with soil fertility in the Fertilizer business for over thirty years. I have also farmed for over fifty years, where I have had to make the economics work. The nutrients had to pay for themselves through improved yield or quality no matter the source.

Over these years I had the pleasure of working with some highly respected Professionals that worked for the University of Maryland. Unfortunately the professionals, highly respected, and faculty with integrity have all retired or died. Arbitrary formulas and modeling have replaced real scientific work to estimate risk potential, no matter the economic and human cost.

Working in the industry with highly respected soils and crop specialists in vegetable and grain production over the years, no one could ever tell me when these High Soil Test Phosphorus levels would be available to the crop. Each year we would see deficiency in the spring despite the test levels, if it had not been provided at planting. If as you describe, this Phosphorus Management Tool (PMT) will prohibit the application of P on 80% + of our fields there is a tremendous economic consequence. This logic makes me understand better why this country is broke and will end up hungry.

I have currently a very large investment in equipment to handle poultry litter. The very recent changes you made requiring incorporation forced me to make even greater investment in vertical tillage equipment. Now you are telling me I have no need of this equipment and will have to retool and purchase more expensive inputs! It is not as benign as your carefully worded press release sounds. You refer to meeting with STAKE HOLDERS, it looks to me as though I am the STEAK for the barbeque.

*Donald Hales*

DONALD HALES

P.O. BOX 2004

SALISBURY, MD 21802

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OCT 10 2013

OFFICE OF THE SECRETARY

# The Magic of Phosphorus

Understand the cycle to fertilize more efficiently **BY DARRELL SMITH**

**H**arvest is in full swing, but the impact of a difficult planting season is still apparent from the combine perch. While phosphorus (P) might have been plentiful in the soil, a cold, wet spring tricked the nutrient from working its magic.

"Several farmers told me that if their starter applicators got shut off or plugged, the corn that did not receive starter was a foot shorter a few weeks before tasseling," says Farm Journal Field Agronomist Ken Ferrie.

We'll explain why in a minute. For now, understand that P helps cells elongate and divide, which is how plants grow. This unique role makes P a very important nutrient.

In this article, we'll explain how P works. In future installments of Nutrient Navigator, we'll tell you how, in certain seasons, the right amount of P can boost corn yield by 30 bu. to 40 bu. per acre.

Along with cell elongation and division, adequate P levels are required to transfer starches—especially sugars within a plant. "If a corn plant can't transfer sugars, which are produced in the upper part of the plant, to other areas, the plant stops growing," Ferrie explains. "When that happens, plants



## Nutrient Navigator

Your Guide to Production and Profit

take on a purple appearance. It's similar to what happens to trees in the fall; when sugar is no longer being transferred, the leaves change color."

Corn plants need P early. "Because phosphorus is so important to early growth and development, the majority needs to be taken up early in the growing season," Ferrie says. "This

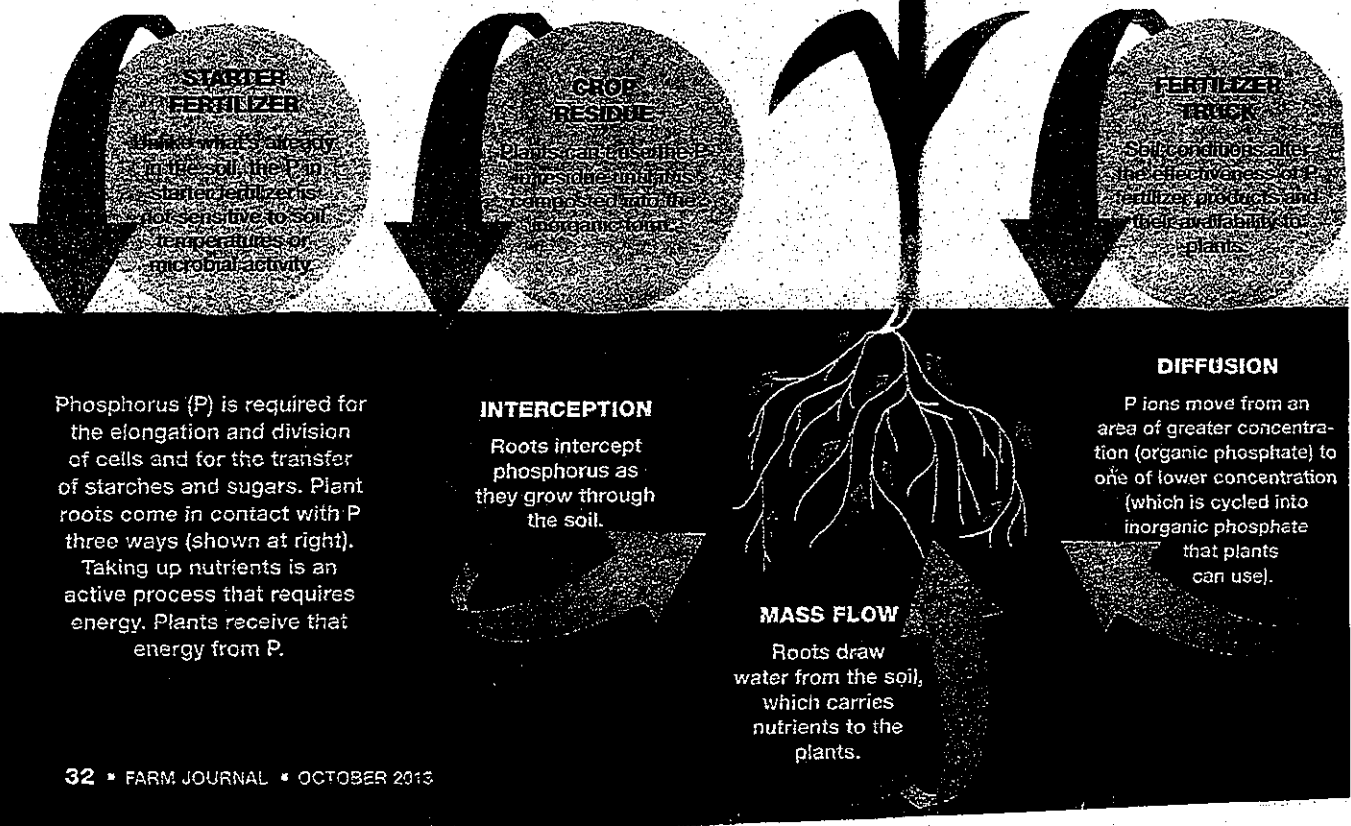
is different from nitrogen, which plants can take up throughout the season.

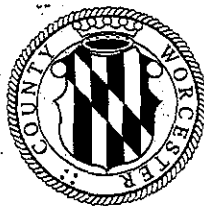
The role of P in plant development involves two compounds in cells: ATP and ADP. "Phosphorus is constantly cycling between ATP and ADP," he says. "In this process, energy is released for growth. Think of it as spring winding up and letting loose. It takes energy, which comes from the sun, to wind the spring or create ATP. When the plant converts ATP to ADP, that's like letting go of the spring and energy is released for growth and development. Then the process starts all over again," Ferrie says.

After plants pick up P from the soil, it can be consumed by animals or humans. That makes P essential to every living creature, including microbes.

Plant roots reach P three ways: interception, mass flow and diffusion. These processes occur simultaneously.

## How Corn Plants Receive Energy to Grow





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OFFICE OF THE  
COUNTY COMMISSIONERS

## Worcester County

GOVERNMENT CENTER  
ONE WEST MARKET STREET • ROOM 1103  
SNOW HILL, MARYLAND  
21863-1195

HAROLD L. HIGGINS, CPA  
CHIEF ADMINISTRATIVE OFFICER  
JOHN E. "SONNY" BLOXOM  
COUNTY ATTORNEY

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OCT 10 2013

October 4, 2013

OFFICE OF THE SECRETARY

Earl F. Hance, Secretary  
Maryland Department of Agriculture  
50 Harry S. Truman Parkway  
Annapolis, Maryland 21401

RE: Opposition to new Phosphorus Management Tool for Nutrient Management

Dear Secretary Hance:

At our meeting on October 1, 2013, the Worcester County Commissioners learned that the proposed Phosphorus Management Tool (PMT) for Nutrient Management is now being proposed by the Maryland Department of Agriculture. This regulation will have a severe negative impact on the use of poultry manure in Worcester County and would therefore be devastating to the agricultural industry in Worcester County and the State of Maryland. Given that agriculture is the second leading industry in Worcester County behind Tourism, this new regulation is of significant concern to the Worcester County Commissioners and we strongly oppose its adoption.

The Commissioners understand that the new Phosphorus Management Tool is intended to replace the current P-Site Index as the tool used to determine phosphorous application by identifying areas where excess phosphorous is present in the soil and a high potential for phosphorous loss exists. The effect of the new tool will be a higher likelihood that a field will not be able to take poultry litter. As a result, serious concerns have been raised about the proposed regulation by manure transporters who may have fewer farms willing to accept chicken manure, chicken growers who may have no place to send their manure thus creating problems on chicken farms, crop farms who will have extra costs to fertilize their fields since they will be denied the ability to use manure, and chicken companies who may have to reduce bird placements on some farms because of those farms' inability to clean out their houses in accordance with company recommendations. While the Worcester County Commissioners understand and appreciate the need to protect and preserve our natural environment, we also understand the need for balanced regulations which will also enable our local agricultural industry to continue to thrive and facilitate the economic recovery of Worcester County and the State of Maryland. Simply put, the proposed regulation appears to place too high a price on the agricultural operations in Worcester County. Therefore, prior to any further consideration, the

Worcester County Commissioners request that a comprehensive economic impact study be conducted to determine the full impact and cost of this new regulation.

Thank you for your consideration of our concerns. If you should have any questions with regard to our position on this matter, please feel free to contact either me or Harold L. Higgins, Chief Administrative Officer, at this office.

Sincerely,

A handwritten signature in black ink that reads "James C. Church". The signature is written in a cursive, flowing style.

James C. Church  
President

JCC/KS/fac

cc: Senator James N. Mathias  
Delegate Michael McDermott  
Delegate Norman Conway  
Delegate Charles Otto  
Bob Mitchell, Director of Environmental Programs  
Bill Badger, Director of Economic Development  
Bill Satterfield, Executive Director, Delmarva Poultry Industry

H:\CC101\PM T for Nutrient Mgmt opposition.wpd

(3)



Clara (Phyllis) ...  
 ...  
 ...

## Fwd: PMT response after Easton meeting

Earl Hance -MDA- <earl.hance@maryland.gov>  
 To: Gloria Chambers -MDA- <Gloria.Chambers@maryland.gov>

Wed, Oct 16, 2013 at 7:29 PM

Please include these in the comments

----- Forwarded message -----

From: **Crum, Rock**  
 Date: Wednesday, October 16, 2013  
 Subject: PMT response after Easton meeting  
 To: "Earl.Hance@maryland.gov" <Earl.Hance@maryland.gov>

Dear Secretary Hance:

I attended the Easton meeting last night on behalf of my farm-related employer, the many farmers that I work with on a regular basis as well as on behalf of my family that owns a farm in Frederick County. I really went into the meeting with an open mind to decide for myself. After hearing comments for nearly three hours, I'm thoroughly convinced that this proposed program is wrought with uncertainty and has been slapped together far too hastily. From what I understand now, the phosphorus really doesn't move off the land except from harvested crop materials. So, what's the hurry? The trust factor in this matter has been severely damaged I'm afraid and nothing good can come of that scenario.



This program, as designed, will put an immediate and significant economic hardship on too many folks in the industry and Maryland taxpayers that will have to pay for this. I have serious doubts that it is a fair and equitable plan. There may be a few farms with high phosphorus readings, so, work with them first to help their situations. Don't impose a Maryland-wide burden on so many, just to appease, I suspect, the special interest groups that want to spend taxpayer funds at all cost. The lack of serious and measurable cost-benefit analysis is a tremendous weakness with this proposal.

On another note, and it's sad to say, but I also question the level of ethics that may be at play here. You have to ask: is this really a good enough thing for the people of Maryland considering the likely out-of-balance costs of lost jobs, equity and considering added physical burden and mental stress? Measure those things correctly and see what you have. Until then, I cannot support the plan as proposed and recommend that it be tabled at this time.

Lastly, I'm afraid that you've been boxed into an awkward situation by some folks that really don't want to understand the concept of equity and equality. In other words, benefits versus costs and overall fairness. This phosphorus thing is a classic example of that and I suspect a whole book could be written on it. Do that and then get an informed consensus from the people of Maryland.

Respectfully submitted, Rock H. Crum

**Rock Crum** | Loan Officer | NMLS# 662729 | MidAtlantic Farm Credit | 102 Morgnec Road |  
Chestertown, MD 21620

o 800.573.3028 | c 410.708.4825 | f 410.778.1377 | mafc.com  

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October 19, 2013

Jo A. Mercer, Ed.D.  
Administrator, Nutrient Management Program  
Maryland Department of Agriculture  
50 Harry S Truman Pkwy  
Annapolis, MD 21401

Dear Mrs. Mercer,

I am writing to oppose the upcoming requirement that all Maryland nutrient management plans utilize the new, and untested, Phosphorus Management Tool (PMT). This tool will unfairly burden farm operations in my area by limiting and/or eliminating the option of poultry litter as an organic, slow release fertilizer. The costs associated with replacing poultry litter with an equivalent commercial fertilizer range from approximately \$100 to \$350 per acre. The additional costs associated with replacing litter as a nutrient source will place an unfair burden on Delmarva grain producers. In addition, poultry farmers will suffer as no viable option currently exists to take the manure generated on their farms, thus the costs of reutilization will fall on their shoulders. While MDA argues that the manure transport program will handle the exportation of manure, the reality is the trucking resources and cost recovery processes do not exist. Relocation of poultry litter on the scale required to satisfy the requirements under the PMT are not feasible, period!

Delmarva farmers and MDA through cost share programs have made considerable investments in storage, spreading equipment and manure management tools to minimize the environmental effects of poultry litter while maximizing the benefits to soil health and crop production. The PMT will render these investments useless and require similar and redundant investments wherever the ultimate fate of the manure resource proves to be.

I urge you to delay the implementation of the new PMT to enable thorough testing of the science behind the tool, give time for alternative uses to develop, and for farmers to find suitable and cost effective replacements for organic fertilizer that will be outlawed on most soils.

Sincerely,

Signature

*Royd C Jones*

Printed Name

Royd C-JONES

Street Address

610 NOTTINGHAM Drive

City, State, Zip

Salisbury md 21804

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MD DEPARTMENT OF AGRICULTURE  
NUTRIENT MANAGEMENT PROGRAM  
ANNAPOLIS



5

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Sincerely,

*Billy Joe Tomlinson, Jr.* *Janice R. Tomlinson*

Signature

Printed Name Billy J. Tomlinson, Jr. / Janice R. Tomlinson

Street Address 32832 Shavox Road

City, State, Zip Parsonsburg, MD 21849

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MD DEPARTMENT OF AGRICULTURE  
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6

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Sincerely,

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Signature

Printed Name Cora M. Widdowson

Street Address 29749 Widdowson Lane

City, State, Zip Princess Anne, Maryland 21853

October 19, 2013

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Administrator, Nutrient Management Program  
Maryland Department of Agriculture  
50 Harry S Truman Pkwy  
Annapolis, MD 21401

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Sincerely,

*Dennis D. Adkins*

Signature

Printed Name Dennis D. Adkins

Street Address 28180 Kaller Road

City, State, Zip Salisbury, Md. 21801

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MD DEPARTMENT OF AGRICULTURE  
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4

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Sincerely,

Signature

Printed Name

Street Address

City, State, Zip

Joe BERNSTEIN  
30699 E Rustic Dr  
Shisbun MD 21804

less government forever

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OCT 15 2013

MD DEPARTMENT OF AGRICULTURE  
NUTRIENT MANAGEMENT PROGRAM  
ANNAPOLIS

October 19, 2013

a  
Jo A. Mercer, Ed.D.  
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Maryland Department of Agriculture  
50 Harry S Truman Pkwy  
Annapolis, MD 21401

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Sincerely,

*Philip D. Williams*

Signature

Printed Name

Philip D. Williams

Street Address

7530 Rockawaykin Rd

City, State, Zip

Hebron MD 21830

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MD DEPARTMENT OF AGRICULTURE  
NUTRIENT MANAGEMENT PROGRAM  
ANNAPOLIS

10

October 19, 2013

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Sincerely,

Signature

*Robert J. Hearn*

Printed Name

Robert J. Hearn

Street Address

3010 CLARA RD

City, State, Zip

TYASKIN, MD 21865

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MD DEPARTMENT OF AGRICULTURE  
NUTRIENT MANAGEMENT PROGRAM  
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Sincerely,

Signature

Printed Name

RICHARD M. REDDISH

Street Address

1104 RIVERSIDE DR.

City, State, Zip

Salisbury, Md 21801

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MD DEPARTMENT OF AGRICULTURE  
NUTRIENT MANAGEMENT PROGRAM  
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12  
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Sincerely,



Signature

Printed Name

Daniel Rayne

Street Address

8475 New Hope Rd

City, State, Zip

Willards MD 21874

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OCT 15 2013

MD DEPARTMENT OF AGRICULTURE  
NUTRIENT MANAGEMENT PROGRAM  
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13  
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Delmarva farmers and MDA through cost share programs have made considerable investments in storage, spreading equipment and manure management tools to minimize the environmental effects of poultry litter while maximizing the benefits to soil health and crop production. The PMT will render these investments useless and require similar and redundant investments wherever the ultimate fate of the manure resource proves to be.

I urge you to delay the implementation of the new PMT to enable thorough testing of the science behind the tool, give time for alternative uses to develop, and for farmers to find suitable and cost effective replacements for organic fertilizer that will be outlawed on most soils.

Sincerely,

*Pete Richardson*

Signature

Printed Name

PETE RICHARDSON

Street Address

35640 Woodford Rd

City, State, Zip

Willards, Md 21874

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OCT 15 2013

MD DEPARTMENT OF AGRICULTURE  
NUTRIENT MANAGEMENT PROGRAM  
ANNAPOLIS

14  
October 19, 2013

Jo A. Mercer, Ed.D.  
Administrator, Nutrient Management Program  
Maryland Department of Agriculture  
50 Harry S Truman Pkwy  
Annapolis, MD 21401

Dear Mrs. Mercer,

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Sincerely,

Signature Werner L. Gruber  
Printed Name Werner L. Gruber  
Street Address 30294 CALHOUN Ave.  
City, State, Zip SALISBURY, MD, 21804

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OCT 16 2013  
MD DEPARTMENT OF AGRICULTURE  
NUTRIENT MANAGEMENT PROGRAM  
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15

October 19, 2013

Jo A. Mercer, Ed.D.  
Administrator, Nutrient Management Program  
Maryland Department of Agriculture  
50 Harry S Truman Pkwy  
Annapolis, MD 21401

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Sincerely,

*H. Wayne Sprague*

Signature

Printed Name H. WAYNE SPRAGUE

Street Address 600 E. MAIN ST.

City, State, Zip FRUITLAND, MD. 21826

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OCT 18 2013

MD DEPARTMENT OF AGRICULTURE  
NUTRIENT MANAGEMENT PROGRAM  
ANNAPOLIS

16

October 19, 2013

Jo A. Mercer, Ed.D.  
Administrator, Nutrient Management Program  
Maryland Department of Agriculture  
50 Harry S Truman Pkwy  
Annapolis, MD 21401

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Sincerely,

Signature

Printed Name Bryan Toadvine

Street Address 26278 Quantico Creek Rd

City, State, Zip Hebron, MD 21830

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OCT 18 2013

MD DEPARTMENT OF AGRICULTURE  
NUTRIENT MANAGEMENT PROGRAM  
ANNAPOLIS

17  
October 19, 2013

Jo A. Mercer, Ed.D.  
Administrator, Nutrient Management Program  
Maryland Department of Agriculture  
50 Harry S Truman Pkwy  
Annapolis, MD 21401

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Sincerely,



Signature

Printed Name

TRACY JOACHIMOWSKI

Street Address

27180 Scotland Pkwy

City, State, Zip

Salisbury, MD  
21801

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MD DEPARTMENT OF AGRICULTURE  
NUTRIENT MANAGEMENT PROGRAM  
ANNAPOLIS

18

October 19, 2013

Jo A. Mercer, Ed.D.  
Administrator, Nutrient Management Program  
Maryland Department of Agriculture  
50 Harry S Truman Pkwy  
Annapolis, MD 21401

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Sincerely,



Signature

Printed Name

WYNN BOWMAN

Street Address

22120 DEEP BRANCH ROAD

City, State, Zip

QUANTICO, MD 21856

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MD DEPARTMENT OF AGRICULTURE  
NUTRIENT MANAGEMENT PROGRAM  
ANNAPOLIS

19

October 19, 2013

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Administrator, Nutrient Management Program  
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Annapolis, MD 21401

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Sincerely,

Signature

Printed Name

*Hyung Lye Choi*

Street Address

*32171 Shavox Rd.*

City, State, Zip

*Salisbury MD 21804*

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OCT 18 2013

MD DEPARTMENT OF AGRICULTURE  
NUTRIENT MANAGEMENT PROGRAM  
ANNAPOLIS

20

October 19, 2013

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Administrator, Nutrient Management Program  
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Annapolis, MD 21401

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Sincerely,

Signature

*David N. Forbes*

Printed Name

DAVID N. FORBES

Street Address

7213 - OPALE CRACKER

City, State, Zip

Hudson - MD. 21530

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MD DEPARTMENT OF AGRICULTURE  
NUTRIENT MANAGEMENT PROGRAM  
ANNAPOLIS